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DISTRICT OF COLUMBIA STATEHOOD CONSTITUTIONAL CONVENTION

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WEDNESDAY, MAY 12, 1982

Washington, D.C.

Ninth Floor Auditorium
10th and E Streets, N.W.

P R O C E E D I N G S

PRESIDENT CASSELL: The convention will come to order.

Let us have a moment of meditation.

Ladies and gentlemen, we are now in our moment of meditation. Will all persons please cease their conversations, out of respect to that part of our rule.

[Moment of silent meditation.]

PRESIDENT CASSELL: Mr. Secretary, would you call the roll, please?

SECRETARY COOPER: Yes, sir.

[Secretary Cooper called the roll as follows:]

Delegate Baldwin, present; Delegate Barnes, here; Delegate Blount; Delegate Bruning, here; Delegate Cassell, present; Delegate Clarke; Delegate Coates, present; Delegate Cooper, present; Delegate Corn; Delegate Croft; Delegate Eichhorn, here; Delegate Feely; Delegate Freeman, here; Delegate Garner; Delegate Graham, here; Delegate Harris; Delegate Holmes; Delegate Jackson, present; Delegate Johnson, present; Delegate Jones, present; Delegate Jordan, here; Delegate Kameny, here; Delegate Lockridge; Delegate Long, here; Delegate Love; Delegate Maguire, here; Delegate Marcus, present; Delegate Charles Mason, here; Delegate Hilda Mason,

here; Delegate Bryan Moore, present; Delegate Jerry Moore, present; Delegate Talmadge Moore, here; Delegate Nahikian; Delegate Nixon, here; Delegate Oulahan, here; Delegate Paramore, here; Delegate Robinson; Delegate Rothschild, here; Delegate Schrag, here; Delegate Shelton; Delegate Simmons --

PRESIDENT CASSELL: [Banging gavel] Would you please refrain from conversation until we have completed the roll, so that the Secretary can hear?

SECRETARY COOPER: Thank you.

[Continuing to call the roll as follows:]

Delegate Simmons; Delegate Street; Delegate Terrell, here; Delegate Thomas; Delegate Warren, present; Delegate Baldwin; Delegate Barnes; Delegate Blount; Delegate Clarke; Delegate Corn; Delegate Croft; Delegate Feely, present; Delegate Garner; Delegate Harris; Delegate Holmes; Delegate Lockridge; Delegate Love, present; Delegate Jerry Moore; Delegate Nahikian; Delegate Robinson; Delegate Shelton; Delegate Simmons; Delegate Street; Delegate Thomas.

Mr. President, 27 Delegates answered the roll.

PRESIDENT CASSELL: There being 27 Delegates answering the roll, this convention is now in order.

Delegate Bruning?

DELEGATE BRUNING: Mr. Chairman, I'd like to rise to a point of personal privilege.

PRESIDENT CASSELL: State your personal privilege, will you, please?

DELEGATE BRUNING: If I may --

PRESIDENT CASSELL: Would you like to come to the front and use the microphone?

DELEGATE BRUNING: Yes. I would like to apologize to the body as a whole for my conduct toward a fellow Delegate last night, Delegate Corn, and if she was here I would publicly apologize to her for conduct I consider to be inexcusable and indefensible, and wish that she would accept a very sincere apology on my part.

Thank you.

PRESIDENT CASSELL: Thank you, Delegate Bruning.

A DELEGATE: Is there another reporter in the audience coming from the Washington Post reporters?

PRESIDENT CASSELL: Inasmuch as the Washington Post reporter is not a part of these proceedings, inasmuch as I'm certain that he has had an opportunity to reflect upon his behavior and conduct and alleged disrespect for this body, which is probably different from that he observes when he

covers things in the Senate and the House and the D. C. Council; I would imagine that that's not necessary. Twenty-four hours have now passed and I am sure it won't happen again.

When we left off last night we had divided Section 2 of the Article on the Legislature, the three parts, and we have adopted the votes in three portions.

We have not adopted Section 2 as an entity. We adopted all of the changes, and the last one was to adopt the amendment by Delegate Jones which was further amended to change the number.

Delegate Terrell, would you like to move for the adoption of Section 2 as amended?

DELEGATE TERRELL: President Cassell, is it out of order to again speak against that amendment?

PRESIDENT CASSELL: Yes, it would be out of order, because each of those has been adopted. The debate on this is over.

DELEGATE TERRELL: Very good.

All right, Mr. President.

PRESIDENT CASSELL: Yes.

DELEGATE TERRELL: I move the adoption of Section 2 as amended by the Convention.

PRESIDENT CASSELL: Is there a second?

A DELEGATE: Second.

PRESIDENT CASSELL: It's been moved and seconded that Section 2 of the Article be adopted as amended.

Discussion?

Delegate Long.

DELEGATE LONG: Thank you.

I believe that through an unfortunate set of circumstances the timing, or the order, I should say, which various parts of this section came up for a vote, this section, as it now stands as amended, is not the will of the body.

[At microphone] I believe it is not the will of the body and therefore I urge you to vote this down, so that we can then get to what is really the majority position of the members of the Convention.

PRESIDENT CASSELL: Delegate Cooper?

DELEGATE COOPER: I'd like to speak in favor of Mr. Terrell's motion to adopt Section 2 as amended. I think the section was amended and thought out quite fairly by the Convention last night, and I think that if we don't adopt this section then we're speaking to the will of only a few Delegates.

I think the Section is excellently worded as it stands. I think it reflects the ideals that are going to cut across a lot of cross-sections of this city. And if we were to waste too much more time on debate on this section, I would think that that would be our loss.

Therefore, I'd like to speak strongly in favor of Section 2 as amended, and hope that my fellow Delegates will vote on Mr. Terrell's motion.

DELEGATE SHELTON: Point of information.

PRESIDENT CASSELL: State your point of information.

DELEGATE SHELTON: I thought that I could close the last one, the section being voted, to accept Section 2 as amended.

PRESIDENT CASSELL: Well, what we did do was to accept the third part of the third section of that amendment. We did not adopt the entire amendment. You remember we divided it into three parts and we voted on each one.

The last thing that we did was to adopt the third section, which had to do with the number of members.

DELEGATE SHELTON: And then it so reflects your recollection., -

PRESIDENT CASSELL: Not having read the minutes, I would assume that they reflect that.

Is there any question about that, Mr. Secretary?

SECRETARY COOPER: No question.

PRESIDENT CASSELL: No question. Okay.

Further discussion on the motion. Delegate
Oulahan?

DELEGATE OULAHAN: I would like to speak briefly
against the motion. I would like to join with Delegate
Long in encouraging my fellow Delegates not to vote for a
bicameral legislature.

To the perception of the people in the city, a
bicameral legislature is not necessary, despite the
statistics which were ably counted out last night by my
friend, Bob Love.

To the people in the city the legislature of the
size that's been proposed, with two houses, is nothing
more than a full employment bill for the politicians in this
city. And I can't think of anything that will kill this
constitution more.

PRESIDENT CASSELL: Delegate Jackson?

DELEGATE JACKSON: Yes, sir. I want to speak in
favor of Section 2.

I might add that it's a bit bothersome to me that
we can sit here and debate something all night, and then

someone comes back and tells us we don't know what we're talking about. I think that is the height of arrogance.

I might also speak, Mr. Chairman, just on merits. I'd rather put aggressive people to work than put judges making \$70,000 to work. I think that debate has gone on long enough.

But, Mr. Chairman, just on the merits. We spoke all night about this, We had long debates. People put forth their thoughts, and that is what was done.

Tonight these people want to put this thing back into disarray, and we would never finish. And to those who talk about 26, then we will see exactly where they're coming from. Including those who think everyone is stupid except them.

PRESIDENT CASSELL: Further discussion?

DELEGATE LONG: Point of privilege, sir.

PRESIDENT CASSELL: If there is to be a debate about people's reflections, is it really necessary? Is it going to remedy anything?

DELEGATE LONG: I think so.

PRESIDENT CASSELL: State your point.

DELEGATE LONG: I take the remarks as directed at me, because of the way I formulated my appeal to have this

motion voted down.

I just wish that we would stop the personal kinds of attacks. They are really not necessary. We are all here voting our consciences, our perceptions, and it's not a personal thing we're doing. We are all working towards better life for the District of Columbia, and I think that the remarks of a personal issue are really not well taken.

PRESIDENT CASSELL: Okay. This issue, this section has been debated fully. It was debated for an hour and a half last night.

The Chair would entertain a motion to call the previous question, so that we can vote.

VOICE: Point of order.

PRESIDENT CASSELL: I'm sorry, I think I'm going to entertain the motion that's on the floor.

It's been moved and seconded that the question has been called.

Those in favor, signify by saying "aye", please.

[Chorus of "ayes".]

PRESIDENT CASSELL: Opposed?

[Chorus of "nays".]

PRESIDENT CASSELL: Abstain. The "ayes" have it. Please let us vote.

Those in favor of the motion --

DELEGATE MAGUIRE: Mr. President, I'd like to request a roll call vote.

PRESIDENT CASSELL: All right. I recognize that this is a --

DELEGATE MAGUIRE: I withdraw --

PRESIDENT CASSELL: I'm sorry, what is your motion, then? What is your last request?

DELEGATE MAGUIRE: I wanted a roll call on the motion to cut off debate.

PRESIDENT CASSELL: Okay.

Those in favor of the motion on the floor, please signify by raising your hands.

[Showing of hands.]

PRESIDENT CASSELL: We're voting on adoption. It was already voted to cut off debate.

Please. Those in favor of the --

DELEGATE MAGUIRE: I would like to request a roll call.

PRESIDENT CASSELL: Young lady, you withdrew that. Right?

DELEGATE MAGUIRE: I wasn't requesting a roll call to cut off debate, I was requesting a roll call on the question.

PRESIDENT CASSELL: Very good. Very good. I'm going to entertain this roll call vote, and remind you once more, right, that we are into the third week and we haven't done one-third of our Articles, and ask that you very seriously reflect before you ask for roll call votes.

I remind you also that we don't have enough money to finish this Convention, and remind you that every roll call vote costs us on the average of \$35.

All right, Mr. Secretary, would you call the roll?

If you are in favor of the adoption of Section 2 as amended, you will respond by saying "yes".

[Secretary Cooper called the roll as follows:]

Delegate Graham, pass; Delegate Harris; Delegate Holmes, pass; Delegate Jackson, yes; Delegate Johnson, no; Delegate Jones, no; Delegate Jordan, no; Delegate Kameny, no; Delegate Lockridge; Delegate Long, no.; Delegate Love; Delegate Maguire, no; Delegate Marcus, pass; Delegate Charles Mason, no; Delegate Hilda Mason, no; Delegate Bryan Moore, no; Delegate Jerry Moore; Delegate Talmadge Moore, no; Delegate Nahikian; Delegate Nixon, pass; Delegate Oulahan, no; Delegate Paramore, pass; Delegate Robinson; Delegate Rothschild, pass; Delegate Shcrag, no; Delegate Shelton, yes; Delegate Simmons; Delegate Street; Delegate Terrell, no;

Delegate Thomas; Delegate Warren, no; Delegate Baldwin;
Delegate Barnes; Delegate Blount, no; Delegate Bruning, no;
Delegate Clarke; Delegate Coates, no; Delegate Cooper, yes;
Delegate Corn; Delegate Croft; Delegate Eichhorn, no;
Delegate Feely, yes; Delegate Freeman, no; Delegate Garner;
Delegate Graham, no; Delegate Holmes, yes; Delegate Marcus,
no; Delegate Nixon, yes; Delegate Paramore, yes; Delegate
Rothschild, no; Delegate Cassell, yes.

SECRETARY COOPER: Mr. President, the result of
the previous vote: 6 in favor, 22 not in favor.

PRESIDENT CASSELL: The motion fails.

Mr. Terrell, your motion fails. The floor is open
for further amendments.

MR. TERRELL: Mr. President, I move to add a new
Section 2, to read as follows:

"The Legislature shall have a single chamber of
36 members elected from single-member political districts
by a majority" --

PRESIDENT CASSELL: State your point of order.

SECRETARY COOPER: Mr. President, that's
reconsideration. Section 2 was just voted down.

MR. TERRELL: Mr. President, I don't believe that
that is reconsideration, because we have not considered any

previous --

SECRETARY COOPER: May I have a ruling on my point of order from the Chair, please?

I didn't raise the point of order to him; I raised it to the Chair..

MR. TERRELL: Mr. President, may I continue, please, with my rationale why this is not a motion to reconsider --

PRESIDENT CASSELL: Please give me a moment to confer with the Parliamentarian so I can respond to the request for a ruling on the point.

The motion is to provide a single chamber with a different number of persons. The Chair rules that is in order.

Would you proceed?

DELEGATE PARAMORE: Point of order.

PRESIDENT CASSELL: State your point of order.

DELEGATE PARAMORE: This becomes a motion being introduced by a Delegate to bring in a motion that is coming from the committee; is that correct? Or is this the committee report?

MR. TERRELL: The Committee agrees with this motion.

DELEGATE PARAMORE: May I indicate this is not for

the committee to decide.

DELEGATE SHELTON: Point of order, Mr. Chairman.

PRESIDENT CASSELL: State your point of order.

DELEGATE SHELTON: There's been a --

PRESIDENT CASSELL: Just a minute, we have one already -- was that a point of order or an inquiry?

DELEGATE PARAMORE: I thought it was a point of order, but I really was seeking information.

PRESIDENT CASSELL: Yes, I think that's a point of information.

DELEGATE PARAMORE: Thank you very much.

PRESIDENT CASSELL: And I can't answer it unless I speak to the chair person himself -- unless your point of order Delegate Jones questions the propriety.

DELEGATE SHELTON: I will wait, Mr. Chairman, until the chairman of the committee isn't absent, and I would like to, if the information is not correct, then I would like to get a copy of the information.

PRESIDENT CASSELL: Okay. Delegate Terrell, do you speak for yourself or as the chair person of the committee?

DELEGATE TERRELL: Mr. President, I understand that as the chair person of the committee, that I may in fact

introduce a motion on behalf of the committee.

And, as far as the members of the committee being in agreement, I did attempt to make certain that they were aware of this motion, and I thought that I had their agreement on it.

DELEGATE SHELTON: Point of order, Mr. Chairman.

A DELEGATE: Point of personal privilege.

PRESIDENT CASSELL: Let me respond to that.

Report has been made, and the report is the report of the committee, right?

DELEGATE TERRELL: I understand that --

PRESIDENT CASSELL: But what you are indicating now is -- if it's different than the report from your committee, it would of course be your own.

DELEGATE TERRELL: Fine.

PRESIDENT CASSELL: All right.

DELEGATE SHELTON: Mr. Chairman, on that, all proposals to the Constitution must be circulated in a proper manner, and therefore it has not been circulated nor registered with the Secretary, and therefore I would feel that this motion is therefore out of order and must take the usual progress.

PRESIDENT CASSELL: Well, it is in order for the

Delegates to make amendments or propose amendments from the floor.

DELEGATE SHELTON: We have no question that's before us, sir.

PRESIDENT CASSELL: Yes, I'm afraid that --

DELEGATE TERRELL: Yes, Section 2.

DELEGATE SHELTON: Section 2 was just defeated.

So what do we have now?

PRESIDENT CASSELL: No, Section 2 wasn't defeated.

DELEGATE SHELTON: It was.

PRESIDENT CASSELL: Section 2 as amended was defeated. We have not completed Section 2. We are back to discussion on Section 2.

We didn't vote to delete Section 2. It was amended, and that amendment was not accepted by the body.

Just a minute now, Delegate Shelton has the floor.

DELEGATE SHELTON: Would you repeat it again, sir?
It was not clear. As to the process.

PRESIDENT CASSELL: Yes, the action that we just took was to reject the amendment to Section 2. Section 2 itself is still valid and needs to be adopted, so we can't get to Section 3 unless we decide to delete Section 2, and that isn't what happened.

DELEGATE SHELTON: So therefore what is before us again is Section 2 as proposed by the committee -- I'm sorry -- yes, as proposed by the committee.

I ask the Chair to help me. I just need to be clear as to what is before us.

PRESIDENT CASSELL: What is before us, again, is Section 2 as presented by the committee. The chair person of the committee who happens to be a Delegate now wants to amend that. And it is in order for him to amend it.

DELEGATE SHELTON: So therefore Delegate Terrell, who is chairman of the committee is now amending or substituting the committee's original proposal?

PRESIDENT CASSELL: When he finishes stating his amendment or substitute or whatever, we will know whether it is an amendment or a substitute; it will have to be his own, it cannot be of the committee.

DELEGATE SHELTON: All right, sir. Therefore, we will then consider in relationship to his proposal the entire Section 2 as amended and accepted by the committee?

PRESIDENT CASSELL: If his amendment fails, then we will consider the original motion, which has not been voted upon yet. We need amendments first.

DELEGATE SHELTON: So I was in the position of

suggesting an amendment that really defeats his original committee proposal?

PRESIDENT CASSELL: Well, that's always possible, surely.

DELEGATE SHELTON: Thank you.

PRESIDENT CASSELL: Yes. Now --

SECRETARY COOPER: Mr. President, as I do recall, the committee set forth a proposed Section 2 to the Articles on the Legislature. As of May 1st, 1982, with your blessing and with the blessing of the committee chair, the Article as proposed was then rendered to the body as a whole.

The body took action on that Article last night. The body chose fit to defeat certain language and substitute their own. The first motion that was entertained tonight, Mr. President, was the motion by Mr. Terrell to adopt that Section 2 as amended by the body.

That Section was not adopted on a roll call vote, with 8 in favor, 22 not in favor.

Therefore I submit, Mr. President, Section 2 is not before us because it was not adopted.

PRESIDENT CASSELL: All right, let me try to make my position clear. And I hope that we can move on after that.

What was defeated was an amendment to Section 2.

Section 2, as written, has not been voted upon.

The President rules -- you may disagree with it, but the President rules -- that amendments, all amendments to Section 2 have been rejected, and it is now in order to have further amendments to Section 2 or to refer to Section 2 as it stands.

Now, you may disagree with that, but that is the ruling of the Chair; and I think we ought to move on.

Delegate Terrell has a right, or anybody else has a right, to make further amendments.

SECRETARY COOPER: Could I ask one final question?

PRESIDENT CASSELL: One final question, yes, sir.

SECRETARY COOPER: Could you have Mr. Terrell please restate the motion that he made tonight?

DELEGATE TERRELL: The motion was to add a new --

SECRETARY COOPER: As I understand it, the motion was to --

PRESIDENT CASSELL: Right. Mr. Terrell has --

DELEGATE TERRELL: May I continue, Mr. President?
And state the complete motion.

PRESIDENT CASSELL: Yes.

Mr. Secretary, --

SECRETARY COOPER: I want a clarification for the

purposes of the record.

PRESIDENT CASSELL: Mr. Secretary, the Chair has perhaps exhausted his capacity to make clarification.

We really need to move on now.

SECRETARY COOPER: But, Mr. President, --

PRESIDENT CASSELL: The Chair exercises his prerogative, first of all, to respond as best he can, and then to move the meeting.

I'm sorry that you're not satisfied.

SECRETARY COOPER: The record is not clear and it needs repeating.

PRESIDENT CASSELL: I understand, yes. I understand that you're not satisfied. But I've done my best.

Mr. Terrell, I would like you to restate your motion now to amend, and we'll determine whether that is in order or not.

DELEGATE TERRELL: Mr. President, the motion was to add a new Section 2, to read as follows:

"The Legislature shall have a single chamber of 36 members elected from single-member political districts; by a majority vote the Legislature shall elect a President from among its members."

PRESIDENT CASSELL: Is there a second to that?

A DELEGATE: Second.

PRESIDENT CASSELL: Okay. This is an amendment to Section 2. The previous amendment, debated at length last night having failed, this is another amendment.

Discussion on the amendment? Delegates Coates, Eichhorn.

DELEGATE COATES: Mr. Chairman, I move to amend the motion of Delegate Terrell by striking the number 36 and inserting in lieu thereof 32.

The reason therefor are that 36 is divisible by 9. We have now 8 geopolitical subdivisions in the District of Columbia, which, in my view, ought to be the same number obtaining in the new State.

Obviously 36 is not divisible by 8.

A DELEGATE: I second.

DELEGATE COATES: That constitutes a rationale that I urged before, for the striking of 36 and inserting 32.

A DELEGATE: Second.

PRESIDENT CASSELL: Okay. It's been moved and seconded that the motion, the amendment offered by Delegate Terrell be amended to change the number 36 to 32, for the reasons stated.

Discussion? Eichhorn?

DELEGATE EICHHORN: I would like to move to amend the amendment, substitute for the amendment by striking the number 32 and substituting the number 24.

Second, as to --

DELEGATE JONES: Point of order.

PRESIDENT CASSELL: Delegate Jones, state your point of order.

DELEGATE JONES: I think that's reconsideration. 24 has been voted down, it was rejected by --

A DELEGATE: So was 36.

DELEGATE EICHHORN: 25, Mr. President.

DELEGATE JONES: You said 24.

DELEGATE EICHHORN: I meant 25.

DELEGATE JONES: But that's not what you said.

PRESIDENT CASSELL: Well, there's a motion on the floor. The motion that was accepted is 24; we can't change that.

DELEGATE EICHHORN: Is that in order, Mr. President?

PRESIDENT CASSELL: No, it's not in order to change a motion after it's been put to -- put on the floor and we're discussing it. You can't very well change that, unless there was a -- by common consent. That we would rather not discuss 24 and discuss 25. And that's purely a matter of

expediency, if somebody could challenge the legality of that, it might speed it along.

DELEGATE EICHHORN: I want to know if the number 24 is in order?

A DELEGATE: No.

PRESIDENT CASSELL: The number 24? Oh, I see, is it in order for you to recommend that?

DELEGATE EICHHORN: Yes.

PRESIDENT CASSELL: Has 24 been voted down in the past?

[Several voices answered: Yes.]

DELEGATE COATES: Mr. Chairman, a point of order. 32 has also been voted down.

PRESIDENT CASSELL: Yes, state your point of order.

DELEGATE COATES: Does not this constitute a tertiary another amendment, sir. We have the amendment to adopt a new Section 2 in the full committee --

PRESIDENT CASSELL: Amendment, amendment, amendment. Your point is well taken.

Delegate Terrell is amending the -- no, that's not right.

Delegate Terrell is not really asking for an --

well, he is, yes.

DELEGATE COATES: So we have --

PRESIDENT CASSELL: Yes, but here's the point now. The original motion was Section 2 as stated. It was amended, section by section, or portion by portion of that section. Each of those was adopted.

The entire section as amended as defeated.

Okay. That wipes the slate clean. But we still have the Section as presented.

What Delegate Terrell is doing is presenting another amendment which he hopes -- in effect, this is a second round of amendments, and his is the first amendment, yours is the second amendment; therefore Delegate Eichhorn's is --

DELEGATE EICHHORN: Point of order. It's a substitute.

DELEGATE COATES: His is not an amendment, he proposed a new Section.

DELEGATE EICHHORN: What I have proposed is a 24-person bicameral legislature, which we can --

PRESIDENT CASSELL: That's not the issue. The issue is the fact that yours is a third amendment. Delegate Eichhorn, please hear me.

DELEGATE EICHHORN: I want a substitution.

PRESIDENT CASSELL: Well, that isn't what you said. Right? Okay. What you said was you wanted to amend his. That's a third level of amendments. Right.

DELEGATE EICHHORN: Not to substitute.

PRESIDENT CASSELL: You know, if you wanted to make a substitute, you should have said a substitute; you said an amendment, right?

A DELEGATE: Point of order, Mr. President?

PRESIDENT CASSELL: Yes.

A DELEGATE: I heard the Delegate say substitute.

PRESIDENT CASSELL: I heard the Delegate say amendment. Now, what are we going to do about that?

Ms. Court Reporter?

[Reporter responded.]

PRESIDENT CASSELL: She said amendment and then corrected herself and said substitute.

The Chair will accept that. All right.

Now we have a substitute motion. The question is now have we voted down before the number 24.

DELEGATE COATES: We have not.

PRESIDENT CASSELL: Mr. Secretary, will you recheck that and see if we voted down 24 or did we have it before?

All right, in order not to lose time discussing

parliamentary procedure, let us proceed by accepting Delegate Terrell's motion, accepting the amendment thereto, and accepting the substitute.

The fastest thing to do is just to vote it up or down.

There's a substitute motion on the floor now to substitute for the figure 32 -- was it? Yes. To substitute for that, 24. Right.

And that was a second to that.

Is there discussion on the substitute motion?

All right, Delegates Shelton, Bryan Moore, Paramore.

DELEGATE SHELTON: I wish to move that this motion be divided and at least in three parts, sir.

PRESIDENT CASSELL: What would the parts be?

DELEGATE SHELTON: The first part would be that the Legislature shall have a single chamber, first part; with 36 members elected from a single-member political district is the second part; by a majority vote the Legislature shall elect a representative from among its members, third part.

PRESIDENT CASSELL: Is that representative or --

DELEGATE TERRELL: The amendment reads President.

DELEGATE SHELTON: President, I'm sorry, sir.

A DELEGATE: Second.

PRESIDENT CASSELL: Having received a second to that, that this motion be divided three ways.

The first portion of that would be that it be a single chamber; the second portion would be that there would be 36 members, single-district legislature; and the third portion would be that by a majority vote a President be elected for the chamber.

Discussion on that motion?

Delegate Coates.

DELEGATE COATES: I move the questions regarding the first part divided, namely, that there be a single chamber.

PRESIDENT CASSELL: The motion on the floor is to divided. We haven't taken care of that.

Those in favor of the division --

DELEGATE FEELY: Point of order, Mr. Chairman.

PRESIDENT CASSELL: Yes. State your point of order.

DELEGATE FEELY: Mr. President, did we or did we not last night vote on bicameral versus single chamber?

PRESIDENT CASSELL: Yes, we did.

DELEGATE FEELY: Then for us to go back over that, isn't that reconsideration?

PRESIDENT CASSELL: No, it isn't reconsideration because we voted today to adopt the entire section as amended, and that was rejected. So we start all over again. We can do anything we like.

DELEGATE BRUNING: Point of order, Mr. Chairman.

PRESIDENT CASSELL: State your point.

DELEGATE BRUNING: The vote to divide it, I don't think it should be debated. I think we ought to have the majority vote on the procedure for that.

PRESIDENT CASSELL: Are we prepared to move on the issue to divide it?

The question is very simple, and I'm sure nobody wanted to vote on all three at once, anyway.

Those in favor of dividing the question as indicated by Delegate Shelton, signify by saying "aye" please.

[Chorus of "ayes".]

PRESIDENT CASSELL: Those opposed?

[Chorus of "noes".]

PRESIDENT CASSELL: Abstain, The motion loses.

A DELEGATE: Division.

PRESIDENT CASSELL: All right. Those opposed -- those in favor of dividing this question in three ways, as

indicated by Delegate Shelton, please raise your hands.

[Showing of hands.]

PRESIDENT CASSELL: If you want to be counted now as in favor of this motion, please keep your hands up.

SECRETARY COOPER: Seven.

PRESIDENT CASSELL: Those opposed to the dividing of the question?

[Showing of hands.]

SECRETARY COOPER: Twenty.

PRESIDENT CASSELL: Okay. Abstaining?

DELEGATE BRUNING: Move the previous question.

PRESIDENT CASSELL: All right now, that motion loses.

We're back to Delegate Eichhorn's substitute motion. Delegate Eichhorn's substitute motion is to change the number to 24.

Those in favor of Delegate Eichhorn's substitute motion --

DELEGATE JORDAN: Point of order.

PRESIDENT CASSELL: Discussion? Very good.

Delegate Shelton, Marcus, Paramore.

DELEGATE SHELTON: I wish to propose an amendment to the section. I propose that the Legislature shall be

composed of a Senate and a House of Representatives.

A DELEGATE: That's exactly what we have on the floor now.

DELEGATE SHELTON: No, it is not.

DELEGATE JORDAN: Point of order, Mr. Chair.

PRESIDENT CASSELL: State your point.

DELEGATE JORDAN: Didn't we pass an amendment to that amendment, then we had a second amendment to that amendment?

DELEGATE SHELTON: No, we have not voted.

PRESIDENT CASSELL: This is a substitute motion.

We defeated the first amendment, then we had Mr. Terrell's amendment, then Mr. Coates' amendment, and we are now discussing the substitute motion.

Wait a minute.

Now, delegate Shelton, again --

DELEGATE JORDAN: Are we going to be able to have any more amendments to this substitute?

PRESIDENT CASSELL: No, you can't amend a substitute. You can amend an original motion twice, you can have a substitute once. You can't have a substitute for a substitute, you can't have an amendment to a substitute.

That's about as far as you can go.

DELEGATE JORDAN: What Delegate Shelton is proposing is a substitute -- I mean an amendment to a substitute. That's why I asked.

DELEGATE SHELTON: No, sir.

A DELEGATE: It's an original motion.

DELEGATE JORDAN: Could we do that in --

[Discussion among Delegates.]

PRESIDENT CASSELL: Delegate Shelton.

DELEGATE SHELTON: Yes, sir?

PRESIDENT CASSELL: The motion that you are offering a substitute for or an amendment to --

DELEGATE SHELTON: Yes, sir.

PRESIDENT CASSELL: -- is Delegate Eichhorn's motion which has to deal only with the substitute motion. Delegate Eichhorn's substitute motion which has only to do with the number.

DELEGATE SHELTON: I'm sorry, sir. Then I need instructions as to an appropriate time. I want to amend the Terrell proposal which began, that the Legislature shall be composed of a single chamber.

And it was that section that I wish to amend, or want instructions as to the appropriate time to propose that.

PRESIDENT CASSELL: When we get back to the original

motion, then you would have an opportunity to do that. If the substitute motion passes, then you would not have an opportunity.

The body has -- if the body has accepted Delegate Eichhorn's motion.

DELEGATE SHELTON: All right, thank you, sir.

I ask to be recognized at the appropriate time, sir.

SECRETARY COOPER: Point of inquiry, Mr. President.

PRESIDENT CASSELL: Quickly now, Mr. Secretary.

SECRETARY COOPER: Yes, sir.

Inasmuch as the motion to divide this question into three separate parts did fail, am I to understand that then a substitute or an amendment to any part of this would be in order? Because all of this is now before us.

PRESIDENT CASSELL: The motion before us is Delegate Eichhorn's amendment, and that is the one that refers to the number only, and that's perfectly in order.

SECRETARY COOPER: Right. My question was in regard to substitutes? Substitutes could refer to any portion of this, and it can be inclusive of Delegate Eichhorn's motion.

PRESIDENT CASSELL: No, I don't think so. No.

SECRETARY COOPER: There was a point of inquiry. Can I get some information from the Parliamentarian on that,

sir?

PRESIDENT CASSELL: Mr. Parliamentarian, would you --

[President conferring with Parliamentarian.]

PRESIDENT CASSELL: The Parliamentarian indicates that you can only deal with the essence of that substitute.

SECRETARY COOPER: Right.

PRESIDENT CASSELL: That agrees with my ruling.

Yes, and that is Ms. Eichhorn's motion.

Discussion on delegate Eichhorn's motion, which involves the substitution of the figure 36 for 24; is that correct?

DELEGATE EICHORN: Figure 24 for 36.

PRESIDENT CASSELL: 24 for 36.

Delegate Marcus and Delegate Paramore.

DELEGATE MARCUS: Mr. President, am I to understand that a substitute for Delegate Eichhorn's substitute is currently out of order?

PRESIDENT CASSELL: It's always out of order.

DELEGATE MARCUS: You say it is always out of order?

PRESIDENT CASSELL: There is no such thing as a substitute for a substitute.

DELEGATE MARCUS: Is a substitute, then, for the original motion in order at this point?

PRESIDENT CASSELL: No. There is a substitute on the floor. The only thing you can do is vote that up or down.

DELEGATE MARCUS: All one can do is vote up or down the substitute on the floor?

PRESIDENT CASSELL: If you vote it down, then amendments are in order again.

DELEGATE MARCUS: Then I would like to amend the substitute.

PRESIDENT CASSELL: You cannot amend the substitute.

DELEGATE MARCUS: Then I'd like to speak against the substitute.

[Laughter.]

PRESIDENT CASSELL: All right. Delegate Marcus.

Delegate Marcus?

DELEGATE MARCUS: Yes, sir? Thank you.

The point is that 24 Delegates, 24 members of the 24 House Chamber is simply too small to adequately cover this great State; that in fact this chamber itself approaches a correct size, despite the qualms that we may have.

PRESIDENT CASSELL: Delegate Marcus.

DELEGATE MARCUS: But to deal -- I'm speaking to the substitute.

PRESIDENT CASSELL: No, no, I'm not criticizing you.

I would like to get your some attention.

DELEGATE MARCUS: Yes, sir.

PRESIDENT CASSELL: Now, ladies and gentlemen, we had this problem all last night, and, really, the court reporter is having difficulty, I am having difficulty, Delegate Jordan and Delegate Love are making it difficult for us, Delegate Simmons and Delegate Feely are making it difficult for us; there are all innocent little conversations, innocent and important. But it really makes it very difficult for us. Right? And if we don't hear, we lose time.

Now, I suggested last night and the night before that when we have these urgent needs to communicate that we whisper. Now, that's easy to do. You know, if you must run across the room, then you whisper in their ear -- right?

Thank you very much.

Now I'll be saying all night long, instead of "order" I'm going to be saying "whisper, please".

Okay. Who had the floor? Delegate Marcus.

DELEGATE MARCUS: Thank you.

I submit to you that a body, that 24 is simply too small to adequately represent the diversity in this particular State. That in fact in my Ward alone, which is often thought of as a fairly homogeneous ward, that three representatives

doesn't in any way adequately cover the kinds of groups, the sorts of diversity, the sorts of opinions that exist in that particular Ward.

And I would bet, I would bet that in any other Ward in this city, that three representatives to the principal legislative body in terms of a State is also inadequate, that it doesn't in any way adequately represent the diverse opinions.

So I appeal to all of you to vote down the number of 24. Thank you.

PRESIDENT CASSELL: Delegate Paramore.

DELEGATE PARAMORE: I rise to speak against the motion. I agree with Delegate Marcus that the number is entirely too small.

Also, in particular, at this point in time, we have not gone through local government; there's no guarantee that we're going to have eight Wards. We might have four. We might have four cities: northwest city, southwest city, southeast city -- we haven't decided that.

So it's very difficult at this time to really talk in numbers dealing with eight Wards. So I say that we vote against this motion, and I hope that the Delegates would impress themselves as to a larger number, more representative

of the people.

PRESIDENT CASSELL: I see Delegate Bryan Moore and Delegate Schrag want the floor. Before I call on Delegate Bryan Moore, I ask that we quiet down first.

DELEGATE BRYAN MOORE: Yes, I'd like to speak against the motion on the floor. I'm in favor of the first and third parts, the unicameral and the president representing the body.

However, I'm concerned about the number of 24 or 36 or 32. I believe, to the contrary, that it is too large, the number 24; and I would prefer to see a smaller number of 16 or so.

Now, I know this seems out of reach compared to many of the other Delegates in what figures they're giving; but if you recall, the idea that I presented to you on paper the other night was to have 112 members with local authority in the community. That would be separate from the Legislature.

So, if we vote this motion down on the floor, then I will have an opportunity to present to you my idea of a unicameral 16-member Legislature, giving local authority to 112 commissioners that are of an advisory nature and with authority.

I think this satisfies people who are concerned

about having the people have representation and a say in local government. It satisfies the people who are concerned about having too many legislators in the Legislature.

And I think that -- it's a compromise, but I think it's consistent with the history of the District of Columbia.

We have a history of advisory neighborhood commissioners. We have a history of eight Ward Councilmen. We are doubling that with 16, and we are reducing the representation from 80,000 down to 40,000.

If you take it to 24, it's a tripling of the Legislature; and 32 or 36 is a quadrupling.

So I urge you to vote down the substitute motion on the floor, so that we can reconsider a smaller Legislature that is acceptable to the taxpayers of this city and will still provide representation to the people in the community on a local level.

PRESIDENT CASSELL: Delegate Schrag.

DELEGATE SCHRAG: Mr. President, there are four reasons -- may I have your attention, please, Delegates? I will be brief.

There are four reasons for a relatively small Legislature, such as the number 24 that the Legislature Committee originally recommended to you.

The first you're familiar with, and that is, a small Legislature like this is familiar to the voters of the District. It's a relatively continuous practice with the past. It's not a sharp break with past practice.

The second is also familiar to you, and that is cost. If we have a relatively professional Legislature with salaries of about \$40,000 per legislator, and a staff of about \$60,000 per legislator, it costs us \$100,000 per legislator. The additional eight members, between the number 24 and the number 32, represents the difference between \$2.4 million for our Legislature and \$3.2 million for our Legislature; not an insubstantial amount.

The third and fourth reasons are perhaps a little less familiar. One is that if we start small at 24 and that proves to be too small, we can always go up. It's easy to add legislators. Legislators vote to add legislators. But you start large, at 32 or 48 and then go down, it's impossible to get from here to there politically, because legislators will not vote a bill that reduces the number of jobs available to them. They will not vote themselves out of office by creating a smaller Legislature.

The fourth argument for a small Legislature is a new one to me, and it came from Representative Barney Frank,

who addressed our committee on April the 21st. And Barney Frank pointed out to us that a 24-member Legislature meant that there would be about 27,000 voters per legislative district -- I'm sorry, 27,000 people per legislative district or about 13,000 voters per legislative district.

If there were a swing of ten percent between one election and another, between one race and another, we're only talking about 1300 voters. He pointed out to us that with that size swing, a ten percent swing, which is fairly large, if you get any smaller than that, if you make the districts any smaller by increasing the size of the Legislature, you can never get rid of incumbents. Because incumbents can simply mobilize enough of their personal friends and contacts to control that swing vote. They can get out enough people that they know, that their people know, who can control that swing vote and you can never defeat an incumbent.

Therefore, he recommended that we have a minimum-sized district of about 25,000 people, which the number 24 legislative districts would represent. And I suggest that you not lock in incumbents forever.

PRESIDENT CASSELL: Delegates Maguire, Simmons, Thomas, Nihikian, and then I would like to vote.

DELEGATE LOVE: Mr. Chair, you can't -- the rules require that you recognize people, and you have to recognize people unless somebody out here raises a hand to raise a question.

PRESIDENT CASSELL: I'm not aware that is the rule. At least I don't read the rule that way, and of course we could have 45 persons -- I'd like you to be quiet while I speak, as I was when you spoke. Okay? We can have that gentlemen's agreement? Thank you.

The Chair isn't required to recognize 45 people on every vote. The Chair can very well try to manage the discussion until such time as most points of view have been heard. We would never finish, not if we tried to get 45.

That's the position of the Chair. There's no point arguing it. The Chair isn't going to change.

DELEGATE LOVE: Point of order --

PRESIDENT CASSELL: Please sir. If you are not going to contribute to this discussion, if you're not going to expedite it, we do no good to the convention by arguing. You can't win an argument that way. And I'm not going to tolerate it.

Now, state your point of order, and be sure it's a point.

DELEGATE LOVE: We have the quarrel with the attorneys for not showing --

PRESIDENT CASSELL:. You address your remarks to the Chair, or you're out of order.

DELEGATE LOVE: I stress the following: The Chairs are not designed to manage, they are not designed to predict what the next person is going to say, in terms of --

PRESIDENT CASSELL: You're out of order. Please sit down.

/ Delegate Maguire, would you continue?

DELEGATE LOVE: Mr. Chair, I have the right to --

PRESIDENT CASSELL: I am denying you any further out-of-order discussion. And I'm asking you to sit down.

DELEGATE LOVE: You are not our mentor, you are not our manager --

PRESIDENT CASSELL: Delegate Maguire, would you please continue?

DELEGATE LOVE: -- you are elected to facilitate discussion --

PRESIDENT CASSELL: You are not recognized.

DELEGATE LOVE: You cannot cut off debate from the Chair.

PRESIDENT CASSELL: I am asking you to sit down,

because you are out of order.

DELEGATE LOVE: I ask for a ruling from the Parliamentarian.

PRESIDENT CASSELL: Well, you have to ask it of the Chair. Read the rules. All right?

DELEGATE LOVE: I know the rules. You are the one who needs to read them.

PRESIDENT CASSELL: Go ahead, Delegate Maguire.

DELEGATE MAGUIRE: I'd like to speak in favor of the substitute motion of 24 unicameral Legislature for the following reasons:

I'd like to call people's attention to the reason that we are here. And that is to write a constitution for purposes of Statehood, not to write a constitution for a better judicial system or better legislature. We are here for purposes of Statehood.

And it is my personal belief that if we have a small Legislature, where people aren't feeling that we're creating politicians, we do something more familiar, the chances of this constitution being ratified by the citizens -- I'm not concerned with the Hill. It can't get to the Hill until our citizens ratify it. I believe that the number 24 and a single-house Legislature will make the votes come in stronger

for Statehood.

PRESIDENT CASSELL: Delegate Simmons.

DELEGATE SIMMONS: I wanted to speak to the fact that incumbent upon my vote, my understanding for voting on this issue, is understanding of the sessions and the fact that it's going to be continuous, and that you're talking about \$40,000 for the State Legislature.

I have difficulty with that fact. I don't think we ought to be in session continuously. I don't think that we ought to be having \$40,000 salaries. I would think that if we're trying to talk about being a State, then we ought to start shaping and fashioning something that's like a State.

We have -- we're so caught up that we're unable to even shift mental gears from a city council that has made a full-time job for themselves, that we can't move to Statehood in our heads.

So we will spend a few minutes mouthing State, and then fashioning something that is -- there isn't a single Legislature in the country that meets continuously.

And there is no Legislature in the country that pays its people 36,000 let alone 40,000 dollars a year. Our City Council is the highest paid State Legislative Body in the country.

Now, I don't think that we do ourselves any service by continuing to repeat the same old mistakes. If we're going to be a Legislature, then let's be one. If you're talking about 24 people at the cost of 40 grand, sure, that's outrageous. But if you're talking about 32 or 36 people, who represent 20,000 population, so that you do indeed have true representation of the population and all of its aspects, then you have the meeting on the kind of sessions of 60 days per year, 90 days a year, and having sessions as a State Legislature and not just filling up the time with people and therefore filling up the need for big salaries.

Our State Legislature will soon be gathering the same -- the same pay at the rate we're starting, that the United States Senate and House get. And I think that that is -- I think that is absolutely -- sure, they only make \$60,000 now. And we're going to start out with 40,000. And the time we decided --

PRESIDENT CASSELL: Delegate Freeman, remember, whisper; Delegate Schrag.

DELEGATE SIMMONS: --that there are increases, cost of living increases, we will end up -- we will end up with a \$60,000 per legislator of cost.

I would like to offer a substitute, either with

regard to this number --

PRESIDENT CASSELL: This is a substitute, you cannot -- it cannot be further substituted.

DELEGATE SIMMONS: Oh, yes, you're right.

All right, then I guess I want to amend at the time we come to sessions. Thank you

PRESIDENT CASSELL: Okay. Delegate Thomas.

DELEGATE EICHHORN: A point of order, Mr. President.

PRESIDENT CASSELL: State your point, please.

DELEGATE EICHHORN: I request that this be ended, or I wish the Delegates would speak to my motion.

I would like to request that you place a limit on them.

PRESIDENT CASSELL: Okay, we will have had nine before long. I hope that we can refrain from repeating the same arguments.

Delegate Thomas.

DELEGATE THOMAS: Mr. President and members of the Convention: I would like to speak in favor of the 24.

I had some consultation with the people in my Ward. And they are in favor of the 24.

We have our head in the lion's mouth. And the first thing I want to talk -- to speak behind Ms. Maguire. I think

the first thing for us to do is try to get this Constitution passed. If we can get the Constitution passed, like the Brother here said, then we can add on. But I think if we go out with more than 24, then we're going to have problems, because I talk to the AACs in my area, I talked to the Citizens Associations, and they are definitely against a larger council.

So I would speak in favor of the 24.

PRESIDENT CASSELL: The next two persons are Nahikian and Feely.

Delegate Nahikian.

DELEGATE NAHIKIAN: Delegates, I have to rise to speak against the Eichhorn motion that we go back to the original committee proposal of a unicameral Legislature with 24 Delegates.

I have heard some interesting debate and argument around the issue of bicameral versus unicameral. But the one level of debate and discussion that I have concerns with is that we are in fact here pledged to try to write a Constitution to make this a State. But Statehood is an abstract concept. And for me to hear Delegates stand up here and say that we are not interested in having a better Legislature, we're not interested in having a better judiciary, that we are interested in Statehood, my basic question is:

If Statehood will not make people's lives better in this city and this area, then we don't need Statehood.

[Applause.]

DELEGATE NAHIKIAN: Consequently, I think that we have a dual responsibility, and our dual responsibility is to create a better government for ourselves, a better legislature, a better judiciary, and in fact to seek Statehood because we understand a very important thing, and that is that our ability to run our own lives and our own affairs is better than Congress's ability to run our lives for us.

We have once again the critical question before us, and I think Delegate Shrag talked about it when he spoke in favor of 24. Delegate Schrag said it's better to have some professionals in the Legislature.

I have to put to you again the question, that it is the professionals who brought you Ronald Reagan, it is the professionals --

[Applause.]

DELEGATE NAHIKIAN: It is the professionals that bought you a 100 percent increase in defense spending, because that's best for industry. And it is the professionals in our city that in fact cannot deliver services adequately to our neighborhoods.

Consequently I think that we have to wrestly with the principle that we wrestled with in my own neighborhood when we sought community control of our schools, and that principle was: We may not be perfect at running the school, but we would rather do it ourselves and make our own mistakes than have someone do it for us.

Consequently, I believe that we must go to a larger number of legislators, whether it be unicameral, as is now on the floor, or bicameral if we are able to seek that later.

We must go to a number of at least 36 to 48 legislators, in order to, one, have legislative districts small enough that people can hold their legislators accountable.

I have on other minor point that I'd like to bring to your attention, and that is this issue of cost. If you vote to have a "professional" legislature, you will have to pay "professional" salaries of 40 to 50 and 60 thousand dollars.

Because it becomes a full-time job for these folks.

I am much happier to allow my laws to be written by folks like you or I or everybody else who does not want to run up the cost of government by making it their profession.

Part of the problem with the cost of government is that people --

PRESIDENT CASSELL: Sorry, your time has expired, Delegate Nahikian.

DELEGATE NAHIKIAN: Thank you. -- is that people do not have any further involvement.

I urge defeat of this motion for those reasons.

Thank you.

[Applause.]

PRESIDENT CASSELL: Delegate Feely.

DELEGATE FEELY: Mr. President, all the comments I want to make have been made.

DELEGATE HARRIS: I move the previous question.

DELEGATE LOVE: Mr. Chairman, my hand was up before hers.

PRESIDENT CASSELL: The previous question has been moved. Is there a second?

DELEGATE LOVE: Mr. Chairman, my hand was up before Delegate Harris' hand went up.

PRESIDENT CASSELL: The previous question have been moved, we cut off debate.

DELEGATE LOVE: Mr. Chairman, I have a point of order about the rules. I would like to read to you the one rule, if I might.

PRESIDENT CASSELL: You are out of order, sir.

[Delegate Love continued to speak at the same time the President called him out of order.]

PRESIDENT CASSELL: You are out of order.

DELEGATE LOVE: A point of order.

PRESIDENT CASSELL: Now, nobody will see that -- you are out of order.

DELEGATE LOVE: If I am not recognized, I will read the one, if we sit here all night --

PRESIDENT CASSELL: The Chair has ruled you out of order.

You may scream and holler, but you will not disrupt and take control, all right?

I have denied you -- you are out of order.

DELEGATE LOVE: I have a point of order.

PRESIDENT CASSELL: The previous question has been called.

DELEGATE LOVE: But, sir --

PRESIDENT CASSELL: The Parliamentarian responds to the Chair. You are ruled out of order.

You are disrupting us, and you --

DELEGATE LOVE: You are too much. You should understand Wall Street brokers, you are not voting --

VOICES: Sit down!

PRESIDENT CASSELL: Thank you. That's all right. Just get him to sit down. If he wants to, you know, cast the epithets and sit down, that's wise.

[Comment by Delegate Love not transcribed.]

PRESIDENT CASSELL: Mr. --

A DELEGATE: Mr. Chair, a point of order.

I wish that we could seek some authorization from the body to stop and cease and desist the behavior of one of my fellow Delegates.

I feel that the Delegate of course is deeply upset as all of us have been. But I do not feel that any Delegate should address the Chair in that fashion.

PRESIDENT CASSELL: Thank you. I would hope it would not be necessary to do that. I would like to move on.

If it proves to be necessary, perhaps we'll have to go on. There is a motion on the floor, which has been seconded.

DELEGATE ROTHSCCHILD: You allowed Delegate Shelton to speak, I would like to speak, too.

The only thing --

PRESIDENT CASSELL: Hold on just a minute. Let me address something to you.

We could have points of order all night. Because

I allowed one Delegate or two Delegates doesn't mean the 45; right? We have to be judicious about that.

I hope your point is serious, please. State it.
Just a moment, before you do so.

[President Cassell conferred with Parliamentarian.]

PRESIDENT CASSELL: The Delegate who was on the floor, Delegate Rothschild, you called a point of order.

There is a motion on the floor. The motion on the floor is to call the previous question. Your point of order has to be germane to the motion on the floor. Is that what you wish to speak to?

DELEGATE ROTHSCHILD: My point of order was --

PRESIDENT CASSELL: I want an answer to my question.

DELEGATE ROTHSCHILD: Well, let me tell you what it is.

PRESIDENT CASSELL: Do you wish to -- and you can say yes or no; do you wish to speak to the motion which is on the floor to call the previous question?

DELEGATE ROTHSCHILD: I do.

PRESIDENT CASSELL: Proceed.

DELEGATE ROTHSCHILD: I feel that -- one of my Delegates was trying to be recognized in the discussion.

And I feel that the way in which the Chair, either mistakenly or intentionally, recognized another Delegate for the convenience of calling the question, is not setting areally good mood for us to operate under. And in a sense --

PRESIDENT CASSELL: You are just verbalizing, that isn't going to help the Chair very much.

DELEGATE ROTHSCCHILD: What I'm saying -- let me finish -- what I'm saying is --

PRESIDENT CASSELL: There is a motion on the floor. I do not believe that your discussion is germane to the motion.

DELEGATE ROTHSCCHILD: The way in which the question was called was improperly done. And I think that --

PRESIDENT CASSELL: Look what you have done about your opinion now.

DELEGATE ROTHSCCHILD: I think what you should do is recognize people, if they are out there --

PRESIDENT CASSELL: Thank you for your advice. You've been recognized and I think you've made your point. There is a previous question on the floor.

DELEGATE ROTHSCCHILD: Well, I continue to ask that you recognize --

PRESIDENT CASSELL: Those in favor of cutting off

debate, please signify by -- I don't want to recognize you.
We have to move on. Right.

All of those in favor of cutting off debate, signify
by saying "aye".

DELEGATE ROTHSCCHILD: The question is not properly
called, Mr. Chair.

[Chorus of "ayes".]

PRESIDENT CASSELL: Those opposed?

[Chorus of "noes".]

PRESIDENT CASSELL: Abstain?

Let me see the hands of those who would like to
cut off debate at this point.

[Showing of hands].

SECRETARY COOPER: : The voice vote was clearly
louder for the "no".

Plus you need two-thirds.

PRESIDENT CASSELL: Please keep your hands up.

All right.

Those in favor of cutting off debate at this point
and moving on to the motion.

Please, order on the floor. Delegate Eichhorn, you
are clearly out of order. You're talking on the floor during
a motion.

SECRETARY COOPER: Those for, 15.

PRESIDENT CASSELL: Those opposed to cutting off debate.

[Showing of hands].

SECRETARY COOPER: 14.

A DELEGATE: Debate continues. It takes two-thirds.

PRESIDENT CASSELL: The motion failed. The debate may continue.

2A

Delegate Eichhorn.

A DELEGATE: Recognize Love!

DELEGATE EICHHORN: I would like to request an opportunity to address some of the issues that were raised in opposition to this motion.

First I'd like to speak to the remarks of Delegate Simmons, who spoke in terms of the role of the State Legislature. Our District Council at this time functions as both a municipal council, a county council and a State Legislature; and that is their justification for believing that it requires their full time and attention and a full-time salary.

Nothing that is proposed so far before this convention would change that. The local government committee has not found any strong sentiment toward having local

government units responsible for legislation, taxing, and local autonomy. We are vesting that in the State Legislature. Our State Legislature will therefore continue to function with some municipal responsibilities.

I do not envision that it can function for 30 to 60 to 90 days a year. Its responsibilities are far broader. And I don't think that that's necessarily inappropriate. I don't mean to suggest that I'm speaking negatively of that. We are a city-state. We are unique. I think we have to draft something that meets our needs, and if that is what we feel meets our needs, so be it.

I'd like to speak to Delegate Nahikian's comments with regard to professional legislators. I don't know what Delegate Schrag's definition of a professional legislator is, nor do I know what Delegate Nahikian's is. Mine is a person who focuses full time and attention on contacting constituents, learning their needs, servicing their needs, and representing them on a legislative body. A person who is overwhelmingly enthusiastic and lives and breathes this role, and I know of no Delegate here who more exemplifies my definition of a professional politician than Delegate Nahikian -- and I mean that as a compliment, not as anything negative.

When we speak of professional politicians, I don't think we need to say that's a bad thing. A lot of us here spend a good deal of time trying to represent people in the interests of the community. And if we do not have other employment that is alien to that, we are professional politicians or professional representatives, or whatever. And I think that's the kind of people we probably want to see as State legislators.

Our District Council, when created in '74, had a salary of, I believe, \$24,000, \$25,000. In eight years that has increased to \$42,000. That is for a part-time position.

I do not buy the argument that anybody we elect under another name would not follow the same course of action. Nor do I believe we should rule out that that's an inappropriate salary for the demands that are made upon our present Council members and our anticipated Statelegislators.

I believe that the representation we have today has proven to be inadequate. One representative for each Ward does not allow that representative to have the kind of grass-roots contact that I think our citizens desire.

On the other hand, my constituents have said, for the most part, they believe 16 is an appropriate number. 24 triples the present Ward representation. It doesn't just

increase it, it triples it. Three times the number of people will represent each Ward or each eighth of the District of Columbia, or the State of Columbia.

I think that is a significant step forward. We are tripling representation. We are also tripling the cost, probably, and I think that if the benefits of tripling representation justify the cost, and I believe they do, then I think that that's something we should decide to move forward on.

I think anything above 24 is unnecessary, too expensive and can be unwieldy. And I hope you will vote for this motion.

Thank you.

[Applause.]

PRESIDENT CASSELL: All right. Delegate Rothschild, Love, Talmadge Moore.

DELEGATE ROTHSCHILD: I'd like to speak against the motion for 24, and I'll tell you why.

PRESIDENT CASSELL: I'm sorry, would you start that again, please?

DELEGATE ROTHSCHILD: I would like to speak against the motion, Mr. President, for 24 Delegates, 24 Representatives.

I think in the system that we're designing we're overlooking some things. I think we're overlooking the fact that in our current system we have at-large representation. The at-large representation that we have now is evidently not satisfactory to people. So we are throwing it out the window. Okay.

What I am basically trying to draw people's attention to is the fact that by throwing out a two-house Legislature and by throwing out at-large representation, we are getting rid of some things and we are not compensating for the things we are getting rid of.

If we break the city down into 24 little legislative districts, that means that each of us has only one representative, one representative. If you don't like that representative, tough; that's your only choice, that's your only input to the Legislature.

PRESIDENT CASSELL: Please whisper; please whisper.

DELEGATE ROTHSCHILD: I'm also concerned that by breaking the city down into 24 little districts we are going to get 24 little parochial interests. You're going to get people who sell themselves to the voters primarily through their knowledge of their neighborhood, through what they can do in their neighborhood, and that's not wrong, there's

nothing wrong with that.

But, on the other hand, we are not providing anything to interweave the city. Last night I made an innovative proposal, possibly too innovative for this convention. But, nevertheless, what I was trying to do was interlink the city so that we don't end with a State with little bits and pieces. By doing that, we will be giving too much power to the Executive, we will be creating little bits and pieces that are vying against one another, and we are really providing no opportunity for the whole to be seen.

The only whole that will be seen will be by the Governor. So I'm afraid that we will be giving too much power to the Governor.

In conclusion, I'd like to say that I'm against 24, I'm in favor of the unicameral; and the reason I'm against 24 is the way we've structured the 24. I think it's a wasted use of 24, it's not so much the number but as to the way the structure is set up.

Thank you.

PRESIDENT CASSELL: Please, please -- now, before I call on anybody else, let me ask: Is there anybody who has anything to say that has not been said yet?

DELEGATE LOVE: I think I have something.

PRESIDENT CASSELL: Delegate Love, you've asked for the floor. I want an answer to the question. Are you raising points that have not been mentioned before?

DELEGATE LOVE: Yes, I think so.

PRESIDENT CASSELL: Proceed.

DELEGATE LOVE: I'd like to thank my fellow Delegates for allowing those few of us who wanted to speak on this motion, which I think is very important, the opportunity, and to apologize for my outbreak. I should have trusted the Delegates, that they would allow us to speak. So I'm sorry.

I'd like to point out just one small thing.

I'd like to point out just one thing and that is: when we discussed the Judicial Branch, we elected to have 48 judges. Those judges are paid at the same rate as our current City Council is. Nobody worried about how much it would cost to administer laws. We were quite happy to have 48 people and nobody complained.

Now we're talking, not about the people who administer about the laws, but the people who make the laws, and you're suddenly saying we can't afford to pay for people who make the laws.

I think making the laws is just as important as

administering the laws. I think having half as many people making laws, 24, as are administering the laws, 48 plus Appeals Court judges, is ridiculous.

I would move and ask people to vote against 24 and vote a higher number. If we can support 48 judges, we certainly can support 36 or 40 legislators to make the laws.

Thank you.

PRESIDENT CASSELL: Delegate Talmadge Moore.

Points that have not been made yet, Delegate Moore?

DELEGATE T. MOORE: Yes, Mr. Chairman.

Again I want to speak like I spoke last night about the cost and who is going to pay for it. The people in the District of Columbia.

It costs less to operate, that is, a small unicameral of 24 members; less duplication of effort; only one group studies a bill. Citizens only have to lobby one body.

Two houses weaken legislative branches in fighting against the Executive Branch. Easy for voters to fix blame or responsibility for legislation.

No last-minute log jam or passing bills already passed by the other house. Legislators are most visible, more respected, more powerful in a single house. And also one house to cover both local and State concerns; so I urge

you to support this 24 and unicameral.

PRESIDENT CASSELL: Last speaker, Delegate Freeman.

DELEGATE FREEMAN: The only I have to say that's new -- well, I want to urge people to vote against this; and the thing that I want to say that is new is that everybody here understands the reason why we got into such a mess last night was that the majority of Delegates here wanted unicameral, but we want it larger than 24.

And I hope that we will not repeat the mess that we made last night tonight, with all these different motions. And just look at the basic thing that the majority of Delegates here want.

Thank you. Vote it down.

PRESIDENT CASSELL: All right. Are we ready to vote now?

All right. Those in favor of the amended motion or the substitute motion by Delegate Eichhorn, that the number shall be 24, please indicate your position by saying "aye".

[Chorus of "ayes".]

PRESIDENT CASSELL: Those opposed?

[Chorus of "noes".]

PRESIDENT CASSELL: Abstain?

The "noes" have it. We are back to the -- we are